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SEP 08 2004

1 **OFFICIAL FILING BY FACSIMILE**
2 **TRANSMISSION WAS SENT ON SEPTEMBER 7,**
3 **2004 TO FACSIMILE #703-872 9306, FOR**
4 **EXAMINER FRED G. PRINCE, TELEPHONE 571**
5 **272 1165 ART UNIT 1724. THE APPLICANT DID NOT**
6 **RECEIVE AN AUTOMATIC USPTO FAC RECEIPT.**
7 **THE APPLICANT RECEIVED A RECEIPT FROM THE**
8 **APPLICANT'S FAX. THAT RECEIPT ACCOMPANIES**
9 **THIS TRANSMISSION. THE RESPONSE IN ITS**
10 **ENTIRETY, WITH THIS ADDITIONAL COVER OF**
11 **TWO PAGES, AND THE APPLICANT'S FAX RECEIPT,**
12 **IS TRANSMITTED AGAIN. THE EXAMINER IS**
13 **ALERTED THAT THE FAX FILING BY APPLICANT**
14 **ON 9/7/04 WAS TIMELY AND THAT A DELAY TO**
15 **9/8/04 WILL BE UNTIMELY AND WILL PLACE THE**
16 **RESPONSE IN THE FIRST MONTH.**

fax of 18 pages

Our Ref. No. P-1534-011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
CULLINAN

Date: September 7, 2004

Serial No. 09/041,685

Group Art Unit: 1724

Filed: March 13, 1998

Examiner: Fred G. Prince

For: A VERTICAL VORTEX OR
LAMINAR FLOW INTERACTIVE
BIO MEDIA WATER TREATMENT
DEVICE or in the alternative A BIO-
REACTIVE GREASE AND OIL
SEPARATOR

9/8/04
27 OFFICIAL RESPONSE Certificate of facsimile
28 filing, Application No. 09/041,685 on
September 7, 2004 by Floyd E. Ivey in response
to Office Action of June 4, 2004

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RECEIVED
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SEP 08 2004AMENDMENT AND RESPONSE

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Commissioner:

In response to the communication from the Examiner dated June 4, 2004, please consider the following:

I. INTRODUCTORY COMMENTSResponse is Timely Filed

The applicant respectfully observes that this response was timely filed on September 7, 2004. The Examiner's Action was June 4, 2004. September 4 fell on a Saturday and September 6 was a National Holiday. The next business day was September 7, 2004. Your applicant Fax transmitted the Response at 17:13 PST on 9/7/04 as shown on the Applicant's Fax Receipt from Applicant's Fax Machine, a copy which accompaines this transmission. The absence of the automated receipt from the USPTO causes uncertainty as to whether or not the USPTO received the 9/7/04 transmission. Hence the Response in its entirety is transmitted a second time on 9/8/04.

Respectfully submitted,

FLOYD E. IVEY
Registration No. 35,552

Telephone No. (509) 735-3581

CERTIFICATE OF TRANSMISSION:

The undersigned hereby certifies that this correspondence is being facsimile transmitted to Examiner Fred Prince, Art Unit 1724, of the Patent and Trademark Office Fax No. (703) 872 9306 on September 7, 2004.

Signature
Floyd E. Ivey

OFFICIAL RESPONSE Certificate of facsimile
filing, Application No. 09/041,685 on
September 7, 2004 by Floyd E. Ivey in response
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2
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2 **TRANSMISSION ON SEPTEMBER 7, 2004 TO**
3 **FACSIMILE #703-872 9306, FOR EXAMINER**
4 **FRED G. PRINCE, TELEPHONE 571 272 1165**
5 **ART UNIT 1724**
6 fax of 15 pages

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2:\USPTO\TSP\Ivey\Cullinan\Fed Res\Revised Response\Final 040623.rtf

TX RESULT REPORT

NAME: LIEBLER, IVEY & CONNOR
TEL : 5097353585
DATE: SEP.07'2004 17:17

SESSION	FUNCTION	NO.	DESTINATION STATION	DATE	TIME	PAGE	DURATION	MODE	RESULT
6257	TX	01	917038729306	SEP.07	17:13	015	00H04'25"	ECN	OK

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1 was Labor Day. Hence the next business day was Tuesday, September 7, 2004.
2 However, the Examiner is hereby authorized to deduct fees otherwise owing from the
3 deposit account of Liebler, Ivey & Connor, P.S./Floyd E. Ivey, 35,552, Deposit account
4 No. 50-0607.

5 **Form of Amendments**

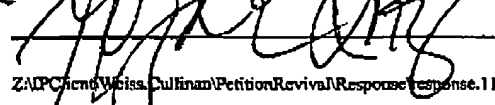
6 The amendments and substitution pages are submitted in the new format. Hence,
7 for each amendment to each distinct section of the application, a separate sheet will be
8 employed per the new format. Separate sheets will be commenced for a.) Introductory
9 Comments; b.) Amendments to the Specification; c.) Amendments to the Claims; and d.)
10 Remarks. It is observed that for claims, all claims will be displayed where any
11 amendment is made to any claim. Amendments to claims shall be shown by strike
12 through for deletions and underlining for additions. Amendments to the specification will
13 be by strikeout and underlining. No separate "clean" version is provided for either
14 amendments to claims or specification.

15
16 **Informal Interview**

17
18 Your applicant submitted an Unofficial For Discussion only draft Response and
19 has discussed Applicant's Proposed Responses to the Examiner's Objections and
20 Rejections. Your applicant respectfully expresses appreciation to the Examiner for the
21 thoughtful consideration given to the proposals made relative to the Objections and
22 Rejections.

23 The Examiner advises that the Examiner's objection to the Specification remains
24 that the phrase "an adhesive or a mechanical fixing means between the vane tip (98) and
25 the groove (150)" at pages 11, 12, 16 and 17 is added matter. Your applicant observes

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1 that those of ordinary skills in these related arts will appreciate that an adhesive or
2 mechanical fixing means will be used in the ordinary course. The Specification has been
3 amended to strike the indicated phrases from pages 11, 12, 16 and 17.

4
5
6 **Status of Drawings -Amendment of Drawings**

7 The Examiner has stated, at page 2, paragraph 2, that the drawings are sufficient
8 for examination purposes. The Examiner has stated that allowable subject matter is
9 indicated. Your applicant will submit the informal drawings for preparation in final
10 format following advice of the allowance of claims.

11
12 **Status of Claims**

13 Claims 30-42 are pending. Claims 30-42 are rejected.

14 **Response to Office Action of June 4, 2004**

15 Your applicant now responds to the Office Action of June 4, 2004.
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